

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 10-229 (JRT/JJG)

Plaintiff,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

ORVILLE DEAN WHITE, JR.,

Defendant.

Clifford Wardlaw, Assistant United States Attorney, **OFFICE OF THE UNITED STATES ATTORNEY**, 300 South Fourth Street, Suite 600, Minneapolis, MN 55415, for the plaintiff.

Reynaldo Aligada, Jr., Assistant Federal Defender, **OFFICE OF THE FEDERAL DEFENDER**, 300 South Fourth Street, Suite 107, Minneapolis, MN 55415, for defendant.

This matter is before the undersigned on the report and recommendation of the United States Magistrate Judge [Docket No. 24]. No objections have been filed to that report and recommendation in the time period permitted. Based on the report and recommendation of the Magistrate Judge, and being advised of all the files, records, and proceedings herein, **IT IS HEREBY ORDERED THAT:**

1. Defendant's Motion to Suppress Fruits of Unlawful Arrest and Search and Seizure (Doc. No. 18) is **DENIED AS MOOT**; and
2. Defendant's Motion to Suppress Statements (Doc. No. 19) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: October 26, 2010
at Minneapolis, Minnesota.

s/ John R. Tunheim
JOHN R. TUNHEIM
United States District Judge